

**IN UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
WINCHESTER DIVISION**

**THE UNIVERSITY OF THE SOUTH**

**Plaintiff,**

**v.**

**SOUTH UNIVERSITY, LLC, F/K/A,  
SOUTH UNIVERSITY, INC.,  
EDUCATION MANAGEMENT, LLC, AND  
EDUCATION MANAGEMENT  
CORPORATION,**

**Defendants.**

**Case No. 4:09-cv-00071**

**Judge Mattice**

**Magistrate Judge Lee**

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**SOUTH UNIVERSITY, LLC,**

**Counter-Claimant**

**v.**

**THE UNIVERSITY OF THE SOUTH,**

**Counter-Defendant.**

**STIPULATION OF DISMISSAL**

WHEREAS, plaintiff The University of the South (“Plaintiff”) and Defendant and Counter-Claimant South University, LLC (“Defendant”) have agreed to settle this matter, and have executed a settlement document entitled “2010 Settlement Agreement” that sets forth the terms of the settlement;

THEREFORE, Plaintiff and Defendant, by and through their respective counsel, stipulate and agree as follows:

1. Pursuant and subject to the terms of the parties’ 2010 Settlement Agreement, the parties through their counsel of record hereby stipulate to the entry of a judgment of dismissal of

this entire action with prejudice in accordance with Rule 41(a)(1) of the Federal Rules of Civil Procedure.

2. Each party shall bear its own costs and attorneys' fees.

Dated: August 24, 2010

CHAMBLISS, BAHNER & STOPHEL, P.C.

SNELL & WILMER, LLP

By: /s/ John G. Jackson

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*Attorneys for The University of the South*

By: /s/William S. O'Hare with express permission  
by John G. Jackson

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